United Nations S/2008/221

Security Council

Distr.: General
4 April 2008
English
Original: French

Letter dated 3 April 2008 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General

For some time, Algeria and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO) have sought to conceal their lack of political commitment to the Manhasset negotiation process by diverting the international community's attention towards alleged human rights violations against indigenous people of the Sahara region and other regions of the Kingdom.

Accordingly, they have sent a number of communications conveying these allegations to your office, in the hope that repetition will eventually turn lies into truth.

As you know, the Kingdom of Morocco has refused to be drawn into this scheme and has refrained from responding to these baseless accusations and diversionary tactics, preferring to devote its full energy to the success of the negotiations currently being conducted under your auspices and to the socio-economic development of the populations of that region.

In order to clear up any ambiguity and avoid any confusion, I should like, on behalf of my Government, to provide the following clarifications regarding the points that have been a recurrent theme in those communications:

(a) As you are aware, the Kingdom of Morocco, in implementing its plans to build a modern and democratic society, has undertaken far-reaching reforms and achieved significant, well-known and recognized progress in the area of human rights;

Thus, the Kingdom, which has incorporated respect for universally recognized human rights into its Constitution, has ratified or acceded to most of the international instruments concerning human rights and humanitarian law and has sought to bring its domestic legislation into line with its international obligations. In addition, Morocco cooperates closely and systematically with international human rights bodies and mechanisms, including those of the United Nations. Lastly, the Kingdom has undertaken, in the context of the Equity and Reconciliation Commission and other forums, to examine all verified cases of past human rights violations since the country's independence and has assumed responsibility for providing individual and collective compensation to the victims;

(b) In this connection, it should be recalled that the laws and regulations enacted to guarantee and protect the exercise of human rights and fundamental

freedoms are implemented in the same manner throughout the territory of the Kingdom, including the Sahara region;

Accordingly, in the area of economic, social and cultural rights, the Kingdom has made colossal efforts to improve infrastructure, education, health care and housing, with the result that today this region's rates of school enrolment and health-care coverage are higher than those in other regions of Morocco;

Significant progress has also been made in the area of civil and political rights. The inhabitants of the Sahara region participate very actively in political life (party membership, participation in legislative and local elections and professional associations, etc.), in economic and social life (trade unions, cooperatives, associations) and in the administrative sphere (administrative responsibilities at all levels);

Moreover, like the other regions of the Kingdom, the Sahara region benefits from the activities of national mechanisms for the promotion and protection of human rights. The Moroccan Ombudsman (*Diwan al Madhalim*) has opened an office in the region, and the Human Rights Advisory Council recently opened a regional administrative office in Laayoune;

(c) In this context, the allegations put forward by the other parties, which are part of a strategy that by now has been largely exposed, are intended to reopen questions that had been considered closed by the competent international bodies. Examples include the question of the "prisoners of war", for whom Algeria and the Frente POLISARIO bear imprescriptible responsibility, or the issue of enforced disappearance, in respect of which the Kingdom's efforts have even been hailed by the Working Group on Enforced or Involuntary Disappearances, which went so far as to cite Morocco as an example for other countries;

(d) The authors of these allegations have used disinformation and obfuscation to exploit cases that concern persons detained under ordinary law. Such persons are guilty of illegal acts that are prohibited as offences under ordinary law (such as acts of violence against law enforcement agents, vandalism, arson, robbery, assault and battery, drug trafficking, counterfeiting and organization of clandestine emigration);

These individuals, all of whom were afforded the due process guarantees provided by the legislation in force, have resorted to intermittent hunger strikes systematically orchestrated to coincide with United Nations timetables and rounds of negotiations;

(e) Contrary to the allegations made by the other parties, the Sahara region is pursuing its socio-economic development process in an atmosphere of calm, tranquillity and openness. Some 1,300 journalists representing the international media, including those fully sympathetic to the other parties' positions, have visited and reported on the Sahara region in complete freedom. In addition, thousands of foreign visitors participating in humanitarian convoys, sports rallies, caravans, delegations to scientific symposiums and cultural festivals organized by NGOs (including Amnesty International and Human Rights Watch) have stayed there. Many diplomats, parliamentarians, business leaders, representatives of international organizations and other foreign dignitaries have visited the region in complete freedom, particularly in recent years.

The Kingdom of Morocco hopes that this information will put an end to any misconceptions and obviate a fruitless and unproductive controversy, uniting the efforts of all concerned to create the most favourable conditions for the success of the negotiations.

Through its actions, Morocco has demonstrated its desire to enrich the dynamic launched by the Security Council; it pledges to persevere in this vein.

I should be grateful if you would have this letter circulated to the members of the Security Council and issued as a document of the Council.

(*Signed*) El Mostafa **Sahel**
Ambassador
Permanent Representative